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10/572,774	10/23/2006	Ole Magleby Gudmand-Hoyer	00660.0326-US-WO	9437
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Altera Law Group, LLC 220 S 6 St Suite 1700 Minneapolis, MN 55402			EXAMINER AKINYEMI, AJIBOLA A	
			ART UNIT	PAPER NUMBER
			2618	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/572,774

Applicant(s)GUDMAND-HOYER, OLE
MAGLEBY**Examiner**

AJIBOLA AKINYEMI

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes (Patent No.: US 5867794) and further in view of Martin (GB 2344480).

With respect to claim 1:

Hayes discloses a handsfree kit for a mobile telephone comprising a circuit coupled between the mobile telephone (fig.3, item 1) and a car radio (fig.3, item 20) having a loudspeaker (fig.3, item 23), said circuit being adapted to transfer information via a FM modulator/mixer (fig.1A, item 11) from the mobile telephone (fig.3, item 1) to the loudspeaker (fig.3, item 23) of the car radio at a call to the mobile telephone, irrespective of whether the car radio is in an active or a passive state, wherein the antenna connector consists of a relay (fig. 3, item 38) that is adapted to switch the

signals for the car radio between the FM modulator/mixer (fig.3, item 10) and an antenna (fig3, item 21) in such a way that when a signal appears on the output of the FM modulator/mixer then the antenna will be connected to earth thereby blocking signal from passing into or out of the antenna and a call detector (fig.3, item 32) being fed from an output from a connector that is connected to the input of the FM modulator (inherent in fig.3, item 10). Hayes did not disclose an RDS generating circuit which is connected to the FM modulator/mixer via an antenna connector to an antenna input of the car radio and RDS generating circuit being fed from the output of a detector. Martin (same field of endeavor) disclosed RDS generating circuit (fig.2, item 9) connected to a modulator (inherent in fig.2, item 17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used RDS generator in order to be automatically tuned the radio receiver by sending digital signals with normal radio programs.

4. Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes (Patent No.: US 5867794 and further in view of Martin (GB 2344480) and Juntunen (Patent no.: 6163711).

With respect to claim 3:

The rejection of claim 1 is incorporated; Hayes and Martin did not explicitly disclose a control circuit which is coupled via an input to a switch for switching the call of the mobile telephone between the car and headset. Juntunen discloses a handsfree wherein the circuit additionally has a control circuit (fig.3, item 6) which is coupled via an

input to a switch (fig.3, item 18, RDS which is used for tuning or switching to radio program or call from mobile) for switching the calls of the mobile telephone between the car radio and a headset (fig.3). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used a control circuit in order to be automatically tuned the radio receiver by sending digital signals with normal radio programs.

With respect to claim 4:

Juntunen disclosed a handsfree kit wherein the headset is wired or wirelessly connected to the circuit (fig.3).

With respect to claim 5:

Juntunen disclosed a handsfree kit wherein the circuit contains an interface circuit (fig.3, item 2), which is connected to the mobile telephone through a mobile telephone holder (fig.3, item 50).

With respect to claim 6:

Juntunen disclosed a handsfree kit wherein the circuit contains an interface circuit (fig.3, item 2), which is connected to the mobile telephone through a mobile telephone holder (fig.3, item 50). Juntunen did not disclose an interface circuit connected to mobile telephone holder via a short range but it would have been obvious to one of ordinary skill in the art at the time the invention was made to have an interface circuit connected to a mobile phone via a short range such as Bluetooth in order to avoid distraction and for easy communication.

With respect to claim 7:

Hayes discloses handsfree kit for a mobile telephone comprising a circuit coupled between the mobile telephone (fig.3, item 1) and a car radio (fig.3, item 20) having a loudspeaker (fig.3, item 23), said circuit being adapted to transfer information via a FM modulator/mixer (fig.1A, item 11) from the mobile telephone to the loudspeaker (fig.3, item 23) of the car radio at a call to the mobile telephone, irrespective of whether the car radio is in an active or a passive state, a relay (fig.3, item 38) adapted to switch the signals for the car radio between the FM modulator/mixer (inherent in fig.3, item 10) and an antenna (fig.3, item 21) in such a way that when an RDS signal appears on the output of the FM modulator/mixer, the relay grounds the radio antenna to earth so that the antenna cannot received radio signals over the air thereby prioritizing the RDS signal. Hayes did not disclose an RDS generating circuit which is connected to the FM modulator/mixer via an antenna connector to an antenna input of the car radio. Martin (same field of endeavor) disclosed RDS generating circuit (fig.2, item 9) connected to a modulator (inherent in fig.2, item 17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used RDS generator in order to be automatically tuned the radio receiver by sending digital signals with normal radio programs.

Response to Arguments

5. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **AJIBOLA AKINYEMI** whose telephone number is (571)270-1846. The examiner can normally be reached on monday- friday (8.30-5pm) Est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **YUWEN PAN** can be reached on (571) 272-7855. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA

/Yuwen Pan/

Primary Examiner, Art Unit 2618